

HOUSE BILL 84

C2

0lr0079

(PRE-FILED)

By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Requested: October 8, 2009

Introduced and read first time: January 13, 2010

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 3, 2010

CHAPTER _____

1 AN ACT concerning

2 **State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration**
3 **Contractors – Membership**

4 FOR the purpose of increasing the number of members of the State Board of Heating,
5 Ventilation, Air-Conditioning, and Refrigeration Contractors; and generally
6 relating to the State Board of Heating, Ventilation, Air-Conditioning, and
7 Refrigeration Contractors.

8 BY repealing and reenacting, with amendments,
9 Article – Business Regulation
10 Section 9A-202
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Business Regulation**

16 9A-202.

17 (a) (1) The Board consists of [7] **9** members.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) Of the [7] 9 Board members:

2 (i) [3] 5 shall be master heating, ventilation, air-conditioning,
3 and refrigeration contractors licensed in the State, a subdivision of the State, or
4 another state provided that state has licensing requirements equivalent to the
5 licensing requirements of this title;

6 (ii) 1 shall be a master electrician;

7 (iii) 1 shall be a master plumber; and

8 (iv) 2 shall be consumer members.

9 (3) The Governor shall appoint the members of the Board with the
10 advice of the Secretary and with the advice and consent of the Senate.

11 (b) Except for the initial members of the Board, of the members appointed
12 under subsection (a)(2)(i), (ii), and (iii) of this section:

13 (1) 1 shall be from the area that consists of Caroline, Dorchester,
14 Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;

15 (2) 1 shall be from the area that consists of Baltimore City, and
16 Baltimore, Cecil, and Harford counties;

17 (3) 1 shall be from the area that consists of Anne Arundel, Calvert,
18 Charles, and St. Mary's counties;

19 (4) 1 shall be from the area that consists of Howard, Montgomery, and
20 Prince George's counties; and

21 (5) 1 shall be from the area that consists of Allegany, Carroll,
22 Frederick, Garrett, and Washington counties.

23 (c) [(1) Two members of the Board may not be residents of the same city,
24 county, or other political subdivision.

25 (2)] Each member of the Board shall be:

26 [(i)] (1) a citizen of the United States; and

27 [(ii)] (2) a resident of the State.

28 (d) (1) Each member appointed under subsection (a)(2)(i), (ii), and (iii) of
29 this section:

30 (i) shall be an active contractor;

1 (ii) shall hold a current active license under this title or under a
2 licensing program in a subdivision of the State; and

3 (iii) shall have provided services as a contractor for not less than
4 5 consecutive years immediately prior to the date of appointment.

5 (2) The master electrician member of the Board:

6 (i) shall be actively engaged in the electrical contracting
7 business as a master electrician;

8 (ii) shall hold a current active license under this article; and

9 (iii) shall have been engaged in business as a master electrician
10 for not less than 5 consecutive years immediately prior to the date of appointment.

11 (3) The master plumber member of the Board:

12 (i) shall be actively engaged in the plumbing contracting
13 business as a master plumber;

14 (ii) shall hold a current active license under this article; and

15 (iii) shall have been engaged in business as a master plumber for
16 not less than 5 consecutive years immediately prior to the date of appointment.

17 (e) Each consumer member of the Board:

18 (1) shall be a member of the general public;

19 (2) may not be a licensee or otherwise be subject to the regulation of
20 the Board; and

21 (3) may not have had within 1 year before appointment a financial
22 interest in or have received compensation from a person regulated by the Board.

23 (f) Before taking office, each appointee to the Board shall take the oath
24 required by Article I, § 9 of the Maryland Constitution.

25 (g) (1) The term of a member is 3 years.

26 (2) The terms of members are staggered as required by the terms
27 provided for members of the Board on January 1, 1993.

28 (3) At the end of a term, a member continues to serve until a successor
29 is appointed and qualifies.

1 (4) A member who is appointed after a term has begun serves only for
2 the rest of the term and until a successor is appointed and qualifies.

3 (5) Board members are eligible for reappointment, but may not serve
4 more than 2 consecutive terms.

5 (6) The Governor may remove a member for incompetence or
6 misconduct.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.